

**ALVERSON, TAYLOR,
MORTENSEN & SANDERS**
KURT R. BONDS, ESQ.
Nevada Bar No. 6228
ADAM R. KNECHT, ESQ.
Nevada Bar No. 13166
6605 Grand Montecito Pkwy, Ste 200
Las Vegas, NV 89149
(702) 384-7000
efile@alversontaylor.com
Attorneys for Plaintiff
Voip-Pal.com, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

VOIP-PAL.COM, INC., a Nevada corporation,

Plaintiff,

v.

APPLE, INC., a California corporation,

Defendants.

CASE NO.: 2:16-cv-00260-RFB-VCF

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
JOINT STATUS REPORT**

Plaintiff Voip-Pal.com, Inc. (“Plaintiff” or “Voip-Pal”) and Defendant Apple, Inc. (“Defendant” or “Apple”), through undersigned counsel, stipulate and request the Court to continue the deadline to file a Joint Status Report from December 12, 2017 to January 26, 2018.

1. On February 9, 2016, VoIP-Pal filed this action against Apple alleging infringement of U.S. Patent Nos. 8,542,815 (the “’815 patent”) and 9,179,005 (the “’005 patent”). (ECF No. 1).

2. On May 5, 2016, this Court entered an order extending the time for Apple to answer the complaint until July 29, 2016. (ECF No. 13);

3. On June 15, 2016, Apple filed a petition with the PTAB to institute IPR proceedings on the asserted claims of the ’815 patent. (*See* ECF No. 24 at ¶ 3.) Apple also petitioned the PTAB to institute IPR proceedings on the asserted claims of the ’005 patent. (*See id.*);

1 4. On July 19, 2016, the parties filed a stipulation and proposed order seeking a stay of
2 this litigation pending the PTAB's decisions on whether to institute IPR on the '815 and '005
3 patents. (ECF No. 24);

4 5. On July 20, 2016, this Court granted the parties' stipulation, ordering a stay of this
5 litigation pending the Court's review of a Joint Status Report outlining the parties' respective
6 positions on how the case should proceed in light of the PTAB's institution decisions. (ECF No.
7 25);

8 6. On November 21, 2016, the PTAB instituted IPR on all asserted claims of the '815
9 patent. (Decision, Institution of *Inter Partes* Review of United States Patent No. 8,542,815, *Apple*
10 *Inc. v. VoIP-Pal.com, Inc.*, IPR2016-01201 (P.T.A.B. Nov. 21, 2016) at 32);

11 7. Likewise, on November 21, 2016, the PTAB instituted IPR on all asserted claims of
12 the '005 patent. (Decision, Institution of *Inter Partes* Review of United States Patent No. 9,179,005,
13 *Apple Inc. v. VoIP-Pal.com, Inc.*, IPR2016-01198 (P.T.A.B. Nov. 21, 2016) at 31);

14 8. By statute, the PTAB must issue final written decisions in the '815 patent and '005
15 patent IPR proceedings no later than November 21, 2017. 35 U.S.C. § 316(a)(11);

16 9. On November 20, 2017, the PTAB issued final written decisions denying Apple's
17 challenged claims in the '815 patent and '005 patent IPR proceedings (IPR2016-01201 and IPR2016-
18 01198). Additionally, the PTAB denied institution of IPRs for five other petitions filed against the
19 '815 and '005 patents, namely, three IPR petitions filed by AT&T (IPR2017-01382, IPR2017-01383,
20 and IPR2017-01384), and two follow-on petitions filed by Apple (IPR2017-01398 and IPR2017-
21 01399).

22 10. A joint status report is due in a similar case before this Court in *Voip-Pal.com, Inc., v.*
23 *Twitter, Inc.*, Case No. 2:16-cv-2338 on January 26, 2017. Because of the similarity of issues and
24 procedural history involving the two cases, the parties desire to extend the deadline to file their joint

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status report in this matter to correlate with the current deadline in *Voip-Pal.com, Inc., v. Twitter, Inc.* The parties intend to meet and confer and jointly prepare a joint status report. There is good cause to continue the the deadline to file a joint status report until January 26, 2018.

DATED the 12th day of December, 2017.

IT IS SO AGREED AND STIPULATED:

ALVERSON, TAYLOR,
MORTENSEN & SANDERS

LEWIS ROCA ROTHGERBER
CHRISTIE LLP

/s/ Adam R. Knecht
Kurt R. Bonds
Nevada State Bar No. 6228
Adam R. Knecht
Nevada State Bar No. 13166
6605 Grand Montecito Pkwy, Ste. 200
Las Vegas, NV 89149
Tel: 702.384.7000
E-mail: kbonds@alversontaylor.com
E-mail: aknecht@alversontaylor.com

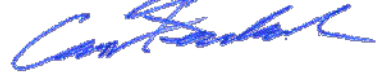
/s/ Ameet Modi
Jonathan W. Fountain
Nevada State Bar No. 10351
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996
Tel: 702.949.8200
E-mail: jfountain@lrrc.com

Attorneys for Plaintiff Voip-Pal.com, Inc.

DESMARAIS LLP
John M. Desmarais, Pro hac vice
Michael P. Stadnick, Pro hac vice
Ameet Modi, Pro hac vice
Kerri-Ann Limbeek, Pro hac vice
230 Park Avenue
New York, New York 10169
Tel: 212.351.3400
E-mail: jdesmarais@desmaraisllp.com
E-mail: mstadnick@desmaraisllp.com
E-mail: amodi@desmaraisllp.com
E-mail: klimbeek@desmaraisllp.com

Attorneys for Defendant Apple, Inc.

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

Dated: December 13, 2017